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COUNTIES OF THE FIRST CLASS IN NEW JERSEY

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The counties of Essex and Hudson, New Jersey, measured by population, are two of the largest political units of their kind in the country.

These counties are not only almost exclusively of an urban character; they have become practically continuous urban communities.

The physical unity of Essex County, however, is more real than the social. Underneath the common interests of each of the several localities is a strong local spirit, due largely to individuality of interest. Some of them are almost exclusively residential and suburban, tributary not to the large city of Newark, but to New York. The cities of Newark and Jersey City have all the varied characteristics of a metropolis. They have an independent reason for existence in their manufacturing interests, and what usually goes with such interests, a large foreign population.

There is, however, a marked contrast between the two counties in physical and social unity. With the exception of three small municipalities adjacent to Newark which should be attached to the latter city or at least joined to Essex County, the County of Hudson presents a most remarkable physical unity. The unity is so great that it is impossible to tell where one municipality ends and the other begins. The social unity of Hudson County is far greater than that of Essex. The marked social heterogeneity between Montclair and Newark, for example, does not exist in Hudson County. The larger municipalities in Hudson County are of an industrial character and are composed of individuals of a homogeneous manner of life.

For the foregoing reasons it seems likely that these counties will always play a rather less important rôle than the cities within their

boundaries. The county's political importance is further minimized by the system of administrative centralization which is the rule in New Jersey, particularly as applied to the courts. For the judiciary in this state in fact as well as in form is more closely integrated than in most others. The court of common pleas is identified with the county because of its territorial jurisdiction, but the judges of this court are appointed by the governor. The same is true of the public prosecutor who takes the place of the district attorney in most other states, and who is usually elected by the people. A rather interesting commentary on the unity of the judiciary in New Jersey is the statutory definition of the prosecutor's powers and duties, wherein it is written that he shall

prosecute the pleas of the state in such county in the absence of the attorney general, and further, do and perform such acts and things on behalf of the state in and about such prosecutions as the attorney general might or ought to do if personally present.

The constitution, however, does not permit this theory of judicial unity to be carried to its logical conclusion, for it requires that sheriffs, clerks of counties, coroners and surrogates, who by reason of their functions may be classed as court officers, shall be elected by the people of the county.

Administrative centralization is also accomplished in the field of public utilities. This division of public service is strictly under the control of the state public utilities commission, and neither the municipalities nor the county has any legal power of any consequence over them. It is possible even for the public service corporations to tear up the streets under state authority in defiance of the city. The cities, of course, have a certain amount of police power (in the narrow sense) and may regulate such minor matters as traffic on the street railways, but both the granting of franchises and the actual operation of utilities are state affairs.

GOVERNMENT OF COUNTIES OF THE FIRST CLASS

The regulation of Essex and Hudson County affairs is set forth in the law applicable to counties of the first class which provides for a board of nine chosen freeholders. The members of this body are elected at large in rotation so that the terms of three men expire each year. The salary of freeholders is \$1500 per year.

THE COUNTY SUPERVISOR

The county supervisor, an official which only the two largest counties in New Jersey, Hudson and Essex Counties, have, is an independently elective official who is charged, as his title implies, with the general supervision of the affairs of the county. The law states,

he shall be the chief executive officer of the county and may recommend the board of chosen freeholders to pass such measures as he may deem necessary or expedient for the welfare of the county.

Besides being charged with the duty of communicating with the board on matters of finance and the maintenance of institutions he is charged "to be vigilant and active in causing the laws and ordinances of the county to be executed and enforced." The county supervisor is empowered to exercise a constant supervision over the conduct of all subordinate officers and to examine all complaints made against them for violation or neglect of duty and if it is found that any officer is guilty of the charges brought against him, the supervisor may suspend or remove him. He furthermore has a veto power over every resolution or ordinance by the board of freeholders. It requires a two-thirds vote to override the supervisor's veto.

The office can be made of the very highest importance and power for efficient administration. Few incumbents have tried really to exert the full influence of the office; the power of veto, the independent position of the office and the ability of the supervisor to attract public attention to his office and his acts make this position one of large possibilities in the hands of a capable and aggressive executive. An official of this character has been extremely rare in the two counties of Hudson and Essex since this office was created in 1900.

County civil service is in effect in several counties in New Jersey where possibly more progress has been made than in most States in the country. Civil service in New Jersey is under a state civil service commission which supervises both municipal and county examinations and appointments.

TAXATION

In New Jersey the assessment and collection of taxes is a function of the municipalities. The tax rate in each municipality is fixed by a county board of taxation, a board appointed by the governor, which has power to hear appeals from the local assessments, and whose chief

function is to act as a board of equalization in a given county. To this board the municipalities and the counties each certify prior to certain fixed dates in August, the amount which they will severally require to be raised by taxation, which amounts are given in the respective budgets. The county board then fixes the tax rate for each municipality which is based upon these budgets (proposed tax levies) allowances being made by the county board for such reductions as were made in the assessments of the previous year by any of the state boards of final resort.

The assessment of taxes is not altogether scientific or accurate and it is only the thorough work of many of the county boards which prevents a very great amount of inequality in the assessment of taxes. The weakness of the collecting system is that the collectors of taxes act simply as receivers of taxes, taking only such moneys as are handed them, the law apparently making no requirements that they should go out and seek to recover such taxes as are legally due the municipalities.

Taxation has long been a subject of discussion in the state of New Jersey, but it is only recently that the subject of a more efficient method in the collection of taxes has been discussed. Proposals to this end were before the last legislature. A special legislative committee to investigate tax assessments reported in favor of an assessment system with direct responsibility from top to bottom, to be secured by the following means:

1. Establish the office of state supervisor requiring supervision and inspection of county assessors and assessments.
2. Establish a county assessor in each county to have general supervision of local assessments.

Those taxing districts now too small to require the entire time of a competent man should be consolidated.

3. Cities should be assessed as a unit by one assessor or board. Notices of assessments should be sent all taxpayers and appeals should be heard before the rate is fixed.
4. Personal property and poll taxes should be abolished.

5. As many cities in New Jersey run for a part of the year on borrowed money, the fiscal year starting before taxes are payable, it was recommended that existing obligations for current expenditures should be funded and in the future taxes should be collected in advance of expenditure.

MAINTENANCE OF COUNTY INSTITUTIONS

The ordinary county institutions are an insane asylum, tuberculosis sanitarium, almshouse—usually more of a hospital than almshouse—and a penitentiary. The greater the centralization in the control of the management of these institutions the better. They should be located on the same general land plot in order that they may have a central heating plant, a common bakeshop, and effect other economies which result from an efficient and centralized management. In New Jersey these institutions have a superintendent who is generally a medical man and in addition they usually have a warden. This dual responsibility is not conducive to efficiency; either there is conflict of authority or one of these officials becomes an assistant to the other. A more ideal system would be to have one superintendent or medical expert in charge of each institution and to have a general manager for all the institutions, who should have charge of the purchase of supplies, the preparation of food and clothing, and in general be responsible for the business management of all the county institutions.

PUBLIC HEALTH

The function of public health protection in Essex County is entirely in the hands of the municipalities. In some ways this system is unfortunate. This was illustrated at a recent exhibit in Orange, N. J., where it was shown that a great many duplications of offices and unnecessary expense could be eliminated if there were in Essex County some central agency which would conduct the inspection of milk. The several towns and cities draw their milk supply from scores of dairies. These dairies are in turn subjected to inspection by each municipality. It is easy to see that a central agency could make more frequent and thorough inspections at a decidedly less cost.

FIRE PROTECTION

Fire protection is also a function of the separate municipalities. Newark as a manufacturing and commercial city, naturally has a more complex and important fire protection problem than any of the other cities and towns. Before many years the city will doubtless be obliged to adopt all of the new forms of apparatus which are essential in cities of high buildings, including the high pressure system and

appropriate apparatus for reaching the floors of skyscrapers. So much has to be said in favor of a decentralized fire protection system. On the other hand, as pointed out before, Essex County is mostly composed of closely built communities, between which in most cases there is no open territory which could serve as a lane of protection against the spread of a great conflagration such as those which have overtaken Chicago, San Francisco, Baltimore and Chelsea. Inasmuch as fire protection has come to mean, in these later days, fire *prevention*, it would seem that in communities like Essex County, something might be said in favor of making fire protection a county function for the purpose of uniform regulation.

By reason of the compactness of Hudson County most of the county extends along the top of the hill with a wide boulevard running the length of the county; it would be very effective for the municipalities to combine in the maintenance of a joint system of fire protection. Motor-driven fire engines could by means of the boulevard go from one part of the county to another. If any large conflagration broke out it would be impossible to tell how far it might spread and it is very probable that a large conflagration would extend beyond the borders of the municipality in which it started.

ACCOUNTING

There is no uniformity of accounting in the counties of New Jersey and each county collector (or county treasurer) has his own method of charging accounts and keeping books. Expenses charged against one thing in one county are charged against a different account in another county, which makes it extremely difficult and sometimes baffles an analysis of the cost of government in the different counties. Because deficits in the "court's account" could be made up by a bond issue, it was the habit in some of the counties to charge all sorts of items against this amount. There has been not only an unscientific method of charging unrelated items to any account which happened to be healthy, but unexpended balances have frequently been transferred from one account to another, which of course defeats the budgetary theory of appropriations. There was at least one county in New Jersey where it was the habit for a number of years to transfer all unexpended balances toward the close of the year to the "incidental" account from which account all payments were then made for the last month or so of the fiscal year.

The accounting, budget and financial reporting system of the counties in New Jersey resembles an African jungle! The most effective remedy for this situation is by way of a state prescription requiring uniformity in budgets, accounting and reports and the appointment of state auditors to aid in the installation of such methods and afterward to check up on the accuracy of such reports as are required.

The Citizens Federation of Hudson County has advocated the above remedy and at its suggestion the Democratic and Republican parties have this year in their party platforms pledged the enactment of laws to provide for a uniform system of accounting.

RELATION OF LOCAL UNITS TO THE STATE

It is impossible to consider the relations of the county and the city without also considering the relations of the State to the foregoing units. Our idea on this subject is that the State, to begin with, is under a responsibility to provide and maintain an efficient system of education and also to either establish an effective state health department or to see to it that the municipalities maintain an efficient system of regulation and inspection. The responsibility of the State in these fields of human welfare is fundamental and this responsibility must be recognized as having a paramount place if we are to have efficiency in either of these two most important departments.

The system of educational administration in New Jersey consists of a state commissioner of education with several assistants, and a small appointive state board. The state superintendent uses the county superintendents as territorial agents, a large part of whose work is clerical. Centralization in educational administration is an accomplished fact in this State.

The state health department at the present time is considered to be quite ineffective and it is very probable that proposals for the improvement of the organization of the department will be made at the next legislature. There should be a state commissioner of health (similar to the state commissioner of education) who should be allowed certain assistants. There should be a small state board of health appointed by the governor to coöperate and advise with the state commissioner of health, such board to be empowered to pass ordinances. The state superintendent should be given authority to appoint local health officers in each municipality in the State under civil service

examinations; all the officers in the service of the State to be experts and their tenure of office should be permanent.

As a corollary to our remarks on health administration, we submit that the State has a proper right to supervise and control the work of municipalities in so far as same relates to the erection and maintenance of an efficient water works, sewage disposal plants, etc. The power of the State to supervise carries with it the *responsibility* of the State to oversee and provide in advance for an increase in population by planning new sources of water and new systems of sewerage. In this case the State should have the power to deal directly with the city, or with a combination of cities and towns, or a county as would best enable it to fulfill its obligations in the premises.

As to the road problem, the need for central supervision becomes more and more apparent with the increase in the use of automobiles and the need for a consistent and well maintained system. In the accomplishment of this end the State may well make use of the counties as administrative divisions, if such a course seems desirable.

CONSTRUCTIVE SUGGESTIONS FOR LOCAL REORGANIZATION

As pointed out previously in this paper, Hudson County presents an excellent opportunity for increased efficiency through a fundamental reorganization. The distribution of its population is so compact that consolidation could easily be effected. This step would unquestionably result in a large saving by eliminating and preventing a duplication of public officers and employees, to say nothing of the actual economy in the purchase of supplies, etc.

Aside, however, from the question of consolidation, what can be done to strengthen the present organization of the counties of the first class? The constitution requires that the county clerks, registers, sheriffs, coroners and surrogates be elected by the people. The effect of this is not only to lengthen the ballot, but, what is more serious, it puts these several officers on an independent basis and destroys the responsibility of the board of chosen freeholders for the economic administration of county affairs. All of these officers are non-political, and there is no reason in political science or common sense why they should be elected. We suggest, therefore, the following disposition of these officers:

The board of chosen freeholders should appoint the county clerk and

register, placing these officers on the same basis as the county counsel and county collector.

The sheriff should be appointed by one of the higher courts in the county, or by the governor. The major part of the sheriff's duties are connected with the carrying out of court orders. But, as the sheriff in certain matters is the direct agent of the state, there is a strong argument for his appointment by the governor, after the manner of the public prosecutor.

The office of surrogate is largely a judicial one, and it would seem wise that this officer be selected in the same manner as are other judges.

The office of coroner is a superfluity and an excrescence. It should be done away with and its powers and duties conferred upon the county physician or upon some officer who would be directly responsible to the county prosecutor, inasmuch as it has been shown quite conclusively in other States that there is a decided necessity for the public prosecutor to control the evidence in cases of violent death.

But the mere fact of making these now independently elected officers subordinate to the responsible county and state officials is not sufficient to give the county a proper working organization. As has been pointed out previously in this paper, the office of county supervisor is full of possibilities. These possibilities, however, have seldom been realized, partly because the supervisor is independently elected and only theoretically responsible to the board of chosen freeholders. We would, therefore, abolish the office of county supervisor and substitute for it that of county manager, the latter office to be filled by the board of chosen freeholders, the incumbent to receive a salary determined upon by them and hold office during their pleasure. He would be expected to give his entire time to his public duties, and the board would be expected to select for this position, not a politician, but an expert administrator. This suggestion is in line with an important recent development in American city government which is currently known as the city manager plan.